



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WAYNE GARDINE,	:	08 Civ. 6524 (SHS)
	:	
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
R. MAXWELL, <i>ET AL.</i> ,	:	
	:	
Defendants.	:	

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SIDNEY H. STEIN, U.S. District Judge.

On February 24, 2010, Magistrate Judge Robert L. Ellis issued a Report and Recommendation recommending that defendants' motion for summary judgment dismissing the complaint in this action be granted. After a *de novo* review of Magistrate Judge Ellis' Report and Recommendation, and plaintiff's objections dated March 2, 2010,

IT IS HEREBY ORDERED that Magistrate Judge Ellis' Report and Recommendation is adopted and defendants' motion for summary judgment [Doc. No. 22] is dismissed with prejudice.

Dated: New York, New York
March 9, 2010

SO ORDERED:

Sidney H. Stein, U.S.D.J.